

## 10-025 C. Welfare to Work Compliance Plan

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CPG Letter 326 (9/14)

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### 10-025.C.1 Compliance Plan Regulation

State regulations require that an instance of noncompliance shall not be considered to have occurred if either:

- The County determines that the individual had good cause for failing or refusing to comply, or
  - The individual did not have good cause for failing or refusing to comply, but agrees to a compliance plan and subsequently fulfills the terms of the compliance plan.
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### 10-025.C.2 Compliance Plan

If an individual does not have good cause for failing or refusing to comply, the individual can agree to the terms of a compliance plan to avoid a sanction upon successful completion.

Welfare to Work Compliance Plan (WTW 32) is developed during the 20-day cause determination appointment.

The WTW 32:

- Specifies which activity the participant must complete
  - Participation in a WTW activity for the duration of the WTW 32
    - Cannot be required for a period of time that exceeds the length of the original activity that brought about the instance of noncompliance.
    - Is required until the activity is completed or up to a maximum of 60-calendar days from the date the recipient begins the activity, **whichever is less**.
- Specifies dates, location, phone #, schedule and total hours per week of the activity
- Must be signed by the participant and the ECM and a copy of the compliance plan is given to the participant

If developed over the phone, the ECM must mail two copies of the plan to the participant (one to sign and return and one to keep) along with a self-addressed stamped envelope. The return due date must be at least 10-calendar days from the date the ECM mails the compliance plan.

The ECM summarizes the contact with the participant and the result of

the appointment in case comments. Supportive Services are reinstated as needed and appropriate NOAs sent to the participant.

**10-025.C.3  
Compliance  
Plan  
Outcome-  
ECM**

Upon completion of the WTW 32 the ECM is required to take the following actions:

If the participant...	then the ECM will...
fulfills the terms of the compliance plan,	<ul style="list-style-type: none"> <li>• Indicate successful completion of compliance plan and discovery date in CalWIN.</li> <li>• Provide a copy of the WTW 32 to the participant.</li> <li>• Reengage participant in WTW activities following <a href="#">Post Compliance Plan Assignment</a> section.</li> <li>• Narrate the outcome in case comments.</li> </ul>
does not have good cause for failure or refusal to meet the terms of the compliance plan,	<ul style="list-style-type: none"> <li>• Indicate unsuccessful completion of compliance plan and discovery date in CalWIN.</li> <li>• Discontinue supportive services.</li> <li>• Narrate the outcome in case comments.</li> </ul>

The ECM notifies the Overpayment Specialist Unit (OSU) as outlined below:

Step	Action
1	Complete the 27-334 with the outcome of the compliance plan choosing one of the acceptable 20-Day Cause Determination outcomes listed in the 20-Day Cause Determination Outcomes section of CPG 10-025 B. Cause Determination for WTW NONC.
2	<p>Email the 27-334 to OSU <b>within three business days</b> following the completion of the compliance plan.</p> <p>OSU email address is:  <a href="mailto:EligibilityOperationsSanctionReviewer.HHSA@sdcounty.ca.gov">EligibilityOperationsSanctionReviewer.HHSA@sdcounty.ca.gov</a></p> <p><b>Reminders:</b></p> <ul style="list-style-type: none"> <li>• Only the ECM can determine noncompliance with the WTW program.</li> <li>• Staff are required to follow Electronic Communication protocol as stated in <a href="#">CPG 10-300 E. WTW Activity Documentation and Reporting Requirements</a>.</li> </ul>
3	<p>Complete a CalWIN Case Comment regarding the outcome of the compliance plan.</p> <p><b>Case Comment Examples</b></p> <p>'Compliance Plan for (client) on (date) was (successfully) completed. All related CalWIN entries have been completed. 27-334 was e-mailed to OSU on (date) to update WTW Registration Status to Registered effective (date).'</p> <p>'Compliance Plan for (client) on (date) was (unsuccessfully) completed. All related CalWIN entries have been completed. 27-334 was e-mailed to OSU on (date) to reinstate sanction and send Notice of Action Sanction of Participant after Failed Compliance Plan (NA 816 or NA 817).'</p>

4	Attempt to reengage in WTW activities.
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**Note:** Once a participant successfully meets compliance requirements in regard to a specific participation problem, that problem shall not be counted as an instance of noncompliance. Any subsequent participation problems occurring after compliance requirements have been met are subject to a new sanction process.

**10-025.C.4  
Compliance  
Plan  
Outcome-OSU**

Upon receipt of the 27-334 with the Compliance Plan Outcome from the ECM, OSU is required to take the following actions:

If the Compliance Plan Outcome is	then OSU is required to
Successful	<ul style="list-style-type: none"> <li>Update WTW status to Registered</li> </ul>
Unsuccessful	<ul style="list-style-type: none"> <li>Reinstate WTW sanction</li> <li>Send Notice of Action Sanction of Participant after Failed Compliance Plan (NA 816 or NA 817)</li> </ul>

Upon receipt of the **27-357 Employment Services Request form** with a request for a registration status update **for a WTW Exempt Volunteer**, the **FRC WTW Liaison** is required to make the following registration updates:

If the Compliance Plan Outcome is	then FRC WTW Liaison will receive a 27-357 with a request to update WTW registration status from
Successful	Noncompliance <u>back to</u> Exempt Mandatory, Registered Voluntary
Unsuccessful	Update WTW Registration status from Noncompliance to Exempt Mandatory

**10-025.C.5  
Compliance  
Plan Failure  
Notices**

When a participant agrees to a compliance plan and subsequently fails to comply, OSU is required to send an additional Notice of Action which differs depending on whether the case is a one or two parent AU.

In cases when a

- First parent agrees to a compliance plan, subsequently fails to participate as required by the plan, and will be sanctioned, OSU is required to send the **NA 817, Sanction of Participant After Failed Compliance Plan.**
- Second parent agrees to a compliance plan, subsequently fails to participate as required by the plan, and will be sanctioned, OSU is required to send the **NA 816, Sanction of Second Parent After Failed Compliance Plan.**

As the original sanction had been rescinded pending the outcome of the compliance plan, the Compliance Plan Failure notices are required to be sent as they inform the sanctioned individual of the effects of the sanction on the budget.

**10-025.C.6**  
**Post-**  
**Compliance**  
**Plan**  
**Assignment**

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After a participant has completed a compliance plan, ECMs are required to provide any new assignments to the participant in writing.

A new WTW 2 is	for participants who
<u>not</u> required	Remain in the same activity as during the compliance period and <u>no</u> changes are needed to the existing WTW2.
required	<ul style="list-style-type: none"><li>• Need to be scheduled to a new activity or</li><li>• Remain in the same activity as during the compliance period however changes are needed to the existing WTW 2 such as:<ul style="list-style-type: none"><li>○ Updates to WTW activities, participation requirements and/or supportive services.</li><li>○ Additional information or services that will assist participants in removing barriers and/or successfully completing their assignments.</li></ul></li></ul> <p><b>Note:</b> ECMs are required to schedule a Reassessment to develop the subsequent WTW activity and sign a new WTW 2.</p>

**Note:** Post-compliance plan assignments are required to be documented in case comments, including whether a new WTW 2 is or is not required, details of the WTW 2 and reasons for the determination.

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